

OCT 29 1982

Mr. Ronald S. Glou  
Manager, Regulatory Affairs  
Dart and Kraft, Inc.  
2211 Sanders Road  
Northbrook, Illinois 60062

Dear Mr. Glou:

Thank you for your letter of October 7, 1982, forwarding your comments on the proposed hazard communication standard. Your letter will be entered into the rulemaking record for the proposal and will receive our full consideration during the development of the final standard.

Sincerely,

R. Leonard Vance, Ph.D.  
Director  
Health Standards Programs

OH: JSilk:id:10/28/82

cc: Vance, Silk, OH File

Dr. R. Leonard Vance  
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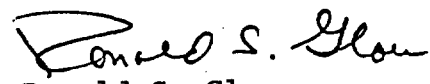
Our concern for vagueness is carried over to our other major comment, which is duplication of other agency regulations. In concept, we strongly support the position stated by one of the organizations to which we belong, the Grocery Manufacturers Association (GMA), in their comment letter submitted May 18, 1982 to the OSHA Docket Office for the Hazard Communication proposed regulation, "A Common Sense Approach to Hazard Communication."

In the preliminary discussion of the proposed Standard, it is stated that the FDA determines only that a substance is "safe" for consumption purposes. It is also stated that the same substances are not necessarily safe for employees exposed in the occupational setting. This is not a valid statement, for there are many factors which must be taken into consideration, such as quantity of material, concentration of materials, their application, and numerous others.

We also support GMA's position that products for export should be excluded from the scope of regulation. Labeling requirements on export items could present barriers to export trade because they may not comply with the requirements of importing countries; they may be confusing to foreign officials and customs officers; and they can increase the labeling compliance costs because many products would, of necessity, bear multiple labels.

We appreciate the opportunity to present the above comments and we hope that these, along with those of GMA, would be looked upon favorably by the Standards Development Committee and incorporated into the final version of the Standard in order to make the regulation more cost-effective and remove much of the duplication of regulatory effort that is specified in the proposed form.

Very truly yours,

  
Ronald S. Glou  
Manager  
Regulatory Affairs

RSG/ma

DART &amp; KRAFT

October 7, 1982

Dr. R. Leonard Vance  
Director, Health Standards Program  
Occupational Safety & Health Administration  
200 Constitution Avenue, N.W.  
Washington, DC 20210

Re: Hazard Communication: Proposed Regulation  
(47 Fed. Reg. 12092, March 19, 1982)

Dear Dr. Vance:

Dart & Kraft, Inc., with corporate offices in Northbrook, Illinois, is a multi-national food, consumer, and commercial products corporation which employs over 58,000 people at over 200 manufacturing locations throughout the United States. We have been following with great interest the proposed Hazard Communication regulation initially proposed in January 1981, and re-proposed with modifications on March 19, 1982. In addition, representatives of our company attended the administration's informal Public Hearing in July on the proposed regulation held in Detroit, Michigan.

We are strongly committed to the safety and health of our employees, whom we consider our greatest resource. There are, however, several concerns with the Hazard Communication regulation as it is being proposed. Specifically, these concerns are with the broad definition of "Health Hazard." The health hazard definition stated under OSHA's proposed regulation is "a chemical which upon exposure may result in the occurrence of acute or chronic health effects in employees." Language of this type is vague and as a minimum the regulation should explicitly apply the requirement of significant risk to health hazard. In addition, as proposed, the regulation would be applicable to basically all substances that are used in the manufacturing of any product or material. Based on your introductory statement at the initial informal hearing in Washington, D.C. on June 15, 1982, this is not the intent of OSHA or the regulation. We support a strong specific definition consistent with the definition recommended by NIOSH, as a substance or mixture having intrinsic properties capable of producing "toxic" effects on the health of the worker.